

Senate Bill No. 1155

CHAPTER 612

An act to add Section 138.10 to the Water Code, relating to water.

[Approved by Governor September 21, 2004. Filed
with Secretary of State September 21, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1155, Machado. Water quality standards: Sacramento-San Joaquin Delta.

Under existing law, the Department of Water Resources operates the State Water Project, which includes state water facilities, as defined. Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the state board grants permits and licenses to appropriate water.

The bill would require the Director of Water Resources, in collaboration with the Secretary of Interior or his or her designee, and on or before January 1, 2006, to prepare a plan to meet the existing permit and license conditions for which the department has an obligation, as described in a specified decision adopted by the state board. The bill would require the director to prepare the plan, and submit copies of the plan to the state board and California Bay-Delta Authority, prior to increasing the existing permitted diversion rate at a specified pumping plant.

The people of the State of California do enact as follows:

SECTION 1. Section 138.10 is added to the Water Code, to read:

138.10. (a) On or before January 1, 2006, the director, in collaboration with the Secretary of Interior or his or her designee, shall prepare a plan to meet the existing permit and license conditions for which the department has an obligation, as described in the State Water Resources Control Board Decision No. 1641.

(b) The plan shall be designed to achieve compliance with the permit and license conditions described in subdivision (a). The director shall prepare the plan, and submit copies of the plan to the board and the California Bay-Delta Authority, prior to increasing the existing permitted diversion rate at the State Water Project's Harvey O. Banks Pumping Plant.

(c) Nothing in this section limits or restricts the department in its operation of the State Water Project due to failure of other water rights



permittees or licensees to meet water quality conditions of their respective permits or licenses.

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